



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,058	05/22/2001	Hania Gajewska	14695.005001; P5114	7385

32615 7590 06/28/2004

OSHA & MAY L.L.P./SUN  
1221 MCKINNEY, SUITE 2800  
HOUSTON, TX 77010

EXAMINER	1
----------	---

LAO, SUE X

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 06/28/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

# Office Action Summary

Application No.

09/863,058

Applicant(s)

GAJEWSKA ET AL.

Examiner

S. Lao

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-38 is/are allowed.
- 6) ☒ Claim(s) 1-8, 18-22, 39-43, 45, 46 is/are rejected.
- 7) ☒ Claim(s) 9-17 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-46 are presented for examination.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 39-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 39 recites "an opposite of a second focus event" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim. For the purpose of art rejection, it is interpreted as "an opposite field of a second focus event", as best understood and as it appears to be.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious

Art Unit: 2126

at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8, 18-22, 39-43, 45, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky et al (U S Pat. 6,262,7130 ) in view of IBM ((BM TDB "Technique to Move Focus in Presentation Manager Applications").

Regarding claims 1-8, 18-22, 39-43, 45, 46, broadly as disclosed, an opposite field refers to the counterpart event of a pair of events. See application as filed, paragraphs [0021], [0039], [0040].

As to claim 1, Brusky teaches a method for generating information for inclusion in focus events (television focus), comprising:

maintaining a list of components requesting focus (focus list 222) in a selected application (col. 8, line 38 – col. 9, line 49);

determining whether a target of a first focus event (button press event) matches a component (handler) at the head of the list (front/head of focus list) (col. 8, lines 40-52).

Brusky does not teach marking the component at the head of the list for inclusion in an opposite field of a second focus event if the target of the first focus event matches the component at the head of the list.

IBM teaches focus event processing (move focus using focus table), including marking the component at the head of the list / identified event for inclusion in an opposite field (tab field of focus table; c21 of page 2, line 11) of a second focus event (control to move focus to), if the target of a first focus event (c12) is identified/matched (id field of focus table, indicating current control). See pages 1-2. Therefore, it would have been obvious to mark the component at the head of the list for inclusion in an opposite field of a second focus event if the target of the first focus event matches the component at the head of the list. One of ordinary skill in the art would have been motivated to modify Brusky with IBM because this would have provided simpler, faster code with improved maintainability (IBM, page 2, last para.)

Art Unit: 2126

As to claims 2, 3, 40-42, Brusky teaches the focus events are generated as a result of a user clicking on a focusable component (button press). Event generation through function invocation / operation / program execution is another typical source of event generation.

As to claim 4, Brusky teaches the target of the first focus event is the current focus owner (handler having the focus, col. 8, lines 49-57).

As to claims 5, 6, determining the emptiness of a list is a typical list operation (with a function such as `IsEmpty()`), and null typically represents 'not found' or failed in programming. Trying to include/link a non-exist value from an empty list results in null / error, as disclosed in Brusky, col. 7, line 65 – col. 8, line 2. Therefore, the opposite field in Brusky as modified by IBM would have resulted in a null under this situation.

As to claim 7, as discussion regarding claim 6, null in programming represents 'not found' or failed operation. Therefore, if the target of the first focus event does not match the component at the head of the list, a 'not found' or failed operation results. Thus setting the opposite field of an focus event to null in Brusky as modified would have been obvious. Further, initializing a list by clearing it is a typical list operation.

As to claim 8, Brusky teaches removing the component matching the target of the first focus event from the head of the list (col. 8, lines 58-64). Obviously when the top-most element is removed, the next component in line becomes the top-most / the head of the list.

As to claims 18-20, 45, adding to one end / tail and removing from the other end / head are conventional (FIFO) queue operations. It is noted that a list is typically implemented by a queue data structure. Therefore, it would have been obvious to implement the list of Brusky as modified with a queue. Testing emptiness and adding to the list/queue are also conventional queue operations.

As to claims 21 and 22, these steps test and exclude duplicated items on the list/queue, which are typical queue operations.

As to claim 39, note discussion of claim 1 for maintaining a list of components requesting focus in a selected application, determining an opposite field of a second focus event based on a target of the first focus event and the list of components

Art Unit: 2126

requesting focus. Regarding opposite field of a first focus event and determining an opposite field of a first focus event based on a target of the second focus event and the list of components requesting focus, these are similar operations but applied to the second focus event. Brusky teaches multiple focus events processed in the same manner (col. 7, lines 13-58). Therefore, it would have been obvious to process the second focus events in the manner similar to the first. In other words, it would have been obvious to include opposite field of a first focus event and to apply the step of determining an opposite field of a first focus event based on a target of the second focus event and the list of components requesting focus in Brusky as modified.

Implementing the teaching of Brusky as modified by IBM with a program in a computer-readable medium would have been obvious for the purpose of portability.

As to claim 43, note discussion of claim 1, step "if ... marking ...".

As to claims 46, Brusky as modified teaches the target of the first focus event is the current focus owner (Brusky, handler having the focus, col. 8, lines 49-57) and the target of the second focus event is the component gaining focus (Brusky, release focus, col. 8, lines 39-64) (IBM, control to move focus to, page 1, typedef struct).

7. Claims 23-38 are allowed.

8. Claims 9-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 44 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

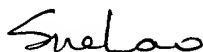
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2126

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The examiner's supervisor, SPE Meng-Ai An, can be reached on (703) 305 9678. The examiner can normally be reached on Monday - Friday, from 9AM to 5PM. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Sue Lao



June 18, 2004